

22596. Misbranding of Dairmol. U. S. v. Harry C. Campbell (Dairy Laboratories). Plea of nolo contendere. Judgment of guilty. Fine, \$50. (F. & D. no. 31473. Sample no. 41657-A.)

Examination of the drug preparation Dairmol showed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On January 17, 1934, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Harry C. Campbell, a member of a copartnership trading as the Dairy Laboratories, Philadelphia, Pa., alleging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about August 15, 1931, from the State of Pennsylvania into the State of Illinois, of a quantity of Dairmol which was misbranded.

Analysis of a sample of the article by this Department showed that it contained 47.0 percent of water, 11.7 percent of alcohol, 4.4 percent of potassium oxide K_2O , 21.0 percent fatty anhydride probably from coconut oil, 2.6 percent coal-tar phenols, and 13.3 percent of essential oils and naphthalene.

It was alleged in the information that the article was misbranded in that the following statements regarding its curative and therapeutic effects, borne on the can label, were false and fraudulent: "Dairmol, especially adapted for the treatment of * * * diseases of the skin and Mucous Membrane * * * powerful penetrating * * * powers * * * Cow Pox—Wash area with 10 percent Dairmol and apply Dairmol full strength to pustule at frequent intervals * * * Recommended for * * * Granular Vaginitis and Putrid Discharges * * * Injuries and Diseases of Mucous Membranes * * * Skin diseases, including many forms of eczema * * * Inflammation of Udder and Caked Udder."

The information also charged a violation of the Insecticide Act of 1910, reported in notice of judgment no. 1327, published under that act. On March 9, 1934, the defendant pleaded nolo contendere for the Dairy Laboratories. Judgment of guilty was entered and a fine of \$50 was imposed for violation of both acts.

M. L. WILSON, *Acting Secretary of Agriculture.*

22597. Misbranding of Vagitone. U. S. v. Philip D. Vincent (Vincent Laboratories). Plea of guilty. Fine, \$5 and costs. (F. & D. no. 31494. Sample no. 29603-A.)

Examination of the drug product Vagitone disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling. Bacteriological examination showed that the article was not antiseptic.

On May 17, 1934, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Philip D. Vincent, trading as the Vincent Laboratories, Texarkana, Tex., alleging shipment by said defendant, in violation of the Food and Drugs Act as amended, on or about February 11, 1933, from the State of Texas into the State of Arizona, of a quantity of Vagitone which was misbranded.

Analysis of a sample of the article by this Department showed that it consisted of glycerin, boric acid, phenols, small proportions of zinc oxide, quinine sulphate, thymol and oxyquinoline sulphate, and water, colored with a green dye. Bacteriological examination showed that the article failed to kill *Staphylococcus aureus* in 15 minutes at 37° C., when tested undiluted and was neither antiseptic, nor powerfully antiseptic.

It was alleged in the information that the article was misbranded in that certain statements, designs, and devices regarding the therapeutic and curative effects of the article, appearing on the bottle and carton labels and in leaflets and a circular shipped with the article, falsely and fraudulently represented that it was effective as a very efficient remedy recommended as an aid to the physician in the treatment of leucorrhoea, vaginal catarrh, inflammation of the genital organs and the various diseases of the vagina and uterus, and various inflammatory diseases of the vaginal tract; effective as a treatment for abnormal discharges of various nature in women after they have reached maturity; effective to insure the therapeutic action desired in female illness; effective as of medicinal value in the treatment of ailments peculiar to women; effective to heal permanently lacerations resulting from childbirth; and effective to arrest profuse menstruation. Misbranding was alleged for the further